
By: **Chairman, Environmental Matters Committee (By Request -
Departmental - Natural Resources)**

Introduced and read first time: February 11, 2004

Assigned to: Environmental Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 26, 2004

CHAPTER _____

1 AN ACT concerning

2

Hunting - Furbearing Mammals

3 FOR the purpose of exempting certain persons from a certain hunting license
4 requirement; requiring certain persons to obtain a furbearer stamp to hunt or
5 trap furbearing mammals or chase fox; establishing certain fees for a furbearer
6 stamp; providing for a group license for organized fox chasing associations;
7 prohibiting certain persons from trapping or chasing certain furbearing
8 mammals on or after certain dates unless certain requirements are met;
9 requiring the Department of Natural Resources to designate certain persons or
10 agencies authorized to provide certain instruction; repealing the prohibition
11 against nonresidents hunting or trapping beaver or otter; specifying that certain
12 persons can kill furbearing mammals at certain times; requiring the
13 Department to issue certain complimentary licenses and stamps under certain
14 circumstances; specifying that persons engaged in certain field trials are exempt
15 from certain licensing requirements; requiring the Department to adopt certain
16 regulations; authorizing the Department to adopt certain regulations; defining
17 certain terms; and generally relating to the hunting and trapping of furbearing
18 mammals.

19 BY repealing and reenacting, with amendments,
20 Article - Natural Resources
21 Section 10-101(k), 10-301(b) and (f), 10-406, and 10-701
22 Annotated Code of Maryland
23 (2000 Replacement Volume and 2003 Supplement)

24 BY adding to

1 Article - Natural Resources
2 Section 10-301.3 and 10-301.4
3 Annotated Code of Maryland
4 (2000 Replacement Volume and 2003 Supplement)

5 BY repealing
6 Article - Natural Resources
7 Section 10-502 and 10-503
8 Annotated Code of Maryland
9 (2000 Replacement Volume and 2003 Supplement)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
11 MARYLAND, That the Laws of Maryland read as follows:

12 **Article - Natural Resources**

13 10-101.

14 (k) (1) "Hunt" means to pursue, capture, catch, kill, gig, trap, shoot, or
15 attempt to pursue, capture, catch, kill, gig, trap, or shoot, or in any manner reduce
16 any bird or mammal to personal possession.

17 (2) "Hunt" excludes:

18 (I) [the] THE sport of fox chasing; AND

19 (II) THE UNARMED PASSIVE OBSERVATION OF DOGS CHASING
20 FURBEARING MAMMALS.

21 10-301.

22 (b) (1) The following persons are not required to obtain a hunter's license or
23 bonus antlered deer stamp:

24 (i) With respect to hunting on farmland only:

25 1. Except as provided in paragraph (2) of this subsection, the
26 owner of the farmland and the owner's spouse, children, and children's spouse; and

27 2. A tenant and the tenant's spouse, children, and, if residing
28 on the farmland, children's spouse. A tenant is a person holding land under a lease, or
29 a sharecropper who resides in a dwelling on the land, but a tenant does not include
30 any employee of the owner or tenant;

31 (ii) Any resident serving in the armed forces of the United States
32 while on leave in the State, during the resident's leave period, if, while hunting, the
33 resident possesses a copy of the resident's official leave order; [and]

1 (iii) Any unarmed person participating in an organized foxhunt;
2 AND

3 (IV) ANY UNARMED NONRESIDENT PARTICIPATING IN AN
4 ORGANIZED RACCOON CHASE ACCOMPANIED BY A MARYLAND RESIDENT.

5 (2) The provisions of paragraph (1)(i)1 of this subsection do not apply to
6 a nonresident owner of farmland.

7 (3) A PERSON EXEMPTED FROM THE HUNTING LICENSE REQUIREMENT
8 UNDER PARAGRAPH (1) OF THIS SUBSECTION MUST OBTAIN A FURBEARER STAMP TO
9 HUNT FURBEARING MAMMALS.

10 (4) (I) A PERSON WHO ACTIVELY PARTICIPATES IN THE UNARMED
11 CHASING OF FOX AND IS EXEMPT FROM THE HUNTING LICENSE REQUIREMENT
12 UNDER PARAGRAPH (1) OF THIS SUBSECTION MUST:

13 1. OBTAIN A FURBEARER STAMP; OR

14 2. CHASE FOX WITH AN ORGANIZATION THAT HAS OBTAINED
15 A FOX CHASING GROUP LICENSE FROM THE DEPARTMENT.

16 (II) THE DEPARTMENT MAY ADOPT REGULATIONS WHICH
17 ESTABLISH CRITERIA AND FEES FOR FOX CHASING ASSOCIATIONS TO OBTAIN A FOX
18 CHASING GROUP LICENSE.

19 (f) (1) There shall be the following types of hunting licenses in the State:

20 (i) A resident hunting license that enables the purchaser to hunt
21 all legal game birds and mammals during any appropriate season in Maryland
22 without the purchase of additional stamps, unless the purchaser is hunting migratory
23 game birds, FURBEARING MAMMALS, or deer during bow and arrow season or black
24 powder season. To hunt migratory game birds the purchaser must also buy a
25 Maryland migratory game bird stamp and to hunt wild waterfowl the purchaser must
26 buy both a Maryland migratory game bird stamp and a federal migratory bird
27 hunting and conservation stamp. IN ORDER TO HUNT FURBEARING MAMMALS THE
28 PURCHASER MUST ALSO PURCHASE A FURBEARER STAMP. To hunt deer during bow
29 and arrow season and black powder season the purchaser must also purchase a bow
30 and arrow or black powder stamp.

31 (ii) A nonresident hunting license that enables the purchaser to
32 hunt all legal game birds and mammals during any appropriate season without the
33 purchase of additional stamps unless the purchaser is hunting migratory game birds,
34 FURBEARING MAMMALS, or deer during bow and arrow season or black powder
35 season. This license enables the purchaser to hunt migratory game birds only with
36 the purchase of a Maryland migratory game bird stamp and to hunt wild waterfowl
37 only with the purchase of both a Maryland migratory game bird stamp and a federal
38 migratory bird hunting and conservation stamp. THIS LICENSE ENABLES THE
39 PURCHASER TO HUNT FURBEARING MAMMALS ONLY WITH THE PURCHASE OF A
40 FURBEARER STAMP. This license enables the purchaser to hunt deer during bow and

1 arrow season and black powder season only with the purchase of a nonresident bow
2 and arrow or black powder stamp.

3 (iii) A nonresident 3-day hunting license that enables the purchaser
4 to hunt all legal game birds and mammals except deer and turkey for the 3
5 consecutive legal hunting days in a single season that are specified on the license by
6 the issuing agent. The purchaser must also purchase a Maryland migratory game
7 bird stamp to hunt migratory game birds and a federal migratory bird hunting and
8 conservation stamp to hunt wild waterfowl with this license. **THE PURCHASER MUST**
9 **ALSO PURCHASE A FURBEARER STAMP TO HUNT FURBEARING MAMMALS WITH THIS**
10 **LICENSE.** Under no circumstance does this license authorize the purchaser to hunt
11 deer and turkey.

12 (2) Residents may purchase a senior hunting license beginning in the
13 calendar year in which they attain the age of 65.

14 (3) A nonresident of any age must purchase either a nonresident hunting
15 license or a nonresident 3-day hunting license to hunt in the State.

16 (4) The fees for hunting licenses are according to the following schedule:

17 (i) Resident, junior, under the age of 16 years \$10.50

18 (ii) Resident, regular, at least 16 years old and under the age of 65
19 years \$24.50

20 (iii) Resident, senior, at least 65 years old \$5.00

21 (iv) Except as provided in subparagraph (v) of this paragraph,
22 nonresident basic \$130.00

23 (v) Nonresident basic hunting license, the greater of the fee
24 charged by the nonresident's home state for a similar basic hunting license or the fee
25 applicable to residents of the following states:

26 1. Delaware \$86.00

27 2. Pennsylvania \$101.00

28 3. Virginia \$120.00

29 4. West Virginia \$135.00.

30 (vi) Complimentary license authorized to be issued under § 10-303
31 of this subtitle No fee

32 (vii) Nonresident 3-day hunting license \$45.00

33 (5) The fees for individual hunting stamps are according to the following
34 schedule:

1	(i)	Bow and arrow stamp	.....	\$6.00
2	(ii)	Nonresident bow and arrow stamp	.....	\$25.00
3	(iii)	Black powder stamp	.....	\$6.00
4	(iv)	Nonresident black powder stamp	.....	\$25.00
5	(v)	Maryland migratory game bird stamp	.....	\$9.00
6	(vi)	Resident bonus antlered deer stamp	.....	\$10.00
7	(vii)	Nonresident bonus antlered deer stamp for each type of deer		
8		.....	\$25	
9	(VIII)	FURBEARER STAMP	.....	\$9.00

10 10-301.3.

11 (A) THE DEPARTMENT SHALL ADOPT REGULATIONS THAT:

12 (1) PRESCRIBE A COURSE OF INSTRUCTION IN TRAPPER EDUCATION;
13 AND

14 (2) PROVIDE FOR THE ISSUANCE OF A CERTIFICATE OF TRAPPER
15 EDUCATION.

16 (B) (1) (I) THE DEPARTMENT SHALL DESIGNATE THE PERSONS OR
17 AGENCIES AUTHORIZED TO GIVE THE COURSE OF INSTRUCTION IN TRAPPER
18 EDUCATION.

19 (II) A DESIGNATION UNDER SUBPARAGRAPH (I) OF THIS
20 PARAGRAPH SHALL BE VALID UNTIL REVOKED BY THE DEPARTMENT.

21 (2) A PERSON DESIGNATED TO PROVIDE THE COURSE OF INSTRUCTION
22 SHALL SUBMIT TO THE DEPARTMENT A VERIFIED LIST OF ALL PERSONS WHO HAVE
23 SUCCESSFULLY COMPLETED THE COURSE OF INSTRUCTION IN TRAPPER
24 EDUCATION.

25 (C) (1) A CERTIFICATE OF TRAPPER EDUCATION SHALL BE ISSUED TO EACH
26 PERSON WHO SUCCESSFULLY COMPLETES THE COURSE OF INSTRUCTION IN
27 TRAPPER EDUCATION.

28 (2) A CERTIFICATE SHALL BE VALID UNTIL REVOKED BY THE
29 DEPARTMENT.

30 (D) (1) ON OR AFTER AUGUST 1, 2005, UNLESS THE PERSON HAS BEEN
31 ISSUED A CERTIFICATE OF TRAPPER EDUCATION, A PERSON UNDER THE AGE OF 18
32 YEARS MAY NOT TRAP FURBEARING MAMMALS IN THE STATE.

1 (2) ON OR AFTER AUGUST 1, 2010, UNLESS THE PERSON HAS BEEN
2 ISSUED A CERTIFICATE OF TRAPPER EDUCATION, THE PERSON, REGARDLESS OF
3 AGE, MAY NOT TRAP FURBEARING MAMMALS IN THE STATE.

4 (E) ANY SIMILAR CERTIFICATE ISSUED BY ANOTHER STATE IS ACCEPTABLE
5 AS COMPLYING WITH THE REQUIREMENTS OF SUBSECTION (D) OF THIS SECTION IF
6 THE PRIVILEGES ARE RECIPROCAL FOR MARYLAND RESIDENTS.

7 (F) (1) THE DEPARTMENT OR A PERSON DESIGNATED BY THE DEPARTMENT
8 MAY ISSUE A 1-YEAR GRATIS FURBEARER STAMP TO A MARYLAND RESIDENT UNDER
9 THE AGE OF 18 YEARS WHO HAS SUCCESSFULLY COMPLETED A COURSE IN TRAPPER
10 EDUCATION.

11 (2) A PERSON MAY BE ISSUED ONLY ONE SUCH STAMP DURING THE
12 LIFETIME OF THAT PERSON.

13 (G) THE DEPARTMENT OR A PERSON DESIGNATED BY THE DEPARTMENT
14 SHALL ISSUE A COMPLIMENTARY HUNTING LICENSE AND FURBEARER STAMP EACH
15 YEAR TO A PERSON WHO:

16 (1) HAS BEEN AUTHORIZED BY THE DEPARTMENT TO GIVE THE COURSE
17 OF INSTRUCTION IN TRAPPER EDUCATION UNDER SUBSECTION (B) OF THIS SECTION;

18 (2) HAS COMPLETED AT LEAST 5 YEARS OF SERVICE AS AN INSTRUCTOR
19 OF THIS COURSE;

20 (3) MAINTAINS ACTIVE CERTIFICATION AS AN INSTRUCTOR OF THIS
21 COURSE;

22 (4) HAS TAUGHT ONE COURSE IN TRAPPER EDUCATION DURING THE
23 FISCAL YEAR PRECEDING THE ISSUANCE OF THE LICENSE; AND

24 (5) HAS INDICATED TO THE DEPARTMENT AN INTEREST IN RECEIVING A
25 COMPLIMENTARY HUNTING LICENSE AND FURBEARER STAMP.

26 10-301.4.

27 (A) THE DEPARTMENT SHALL ADOPT REGULATIONS THAT:

28 (1) PRESCRIBE A COURSE OF INSTRUCTION IN FURBEARER CHASING
29 EDUCATION; AND

30 (2) PROVIDE FOR THE ISSUANCE OF A CERTIFICATE OF FURBEARER
31 CHASING EDUCATION.

32 (B) (1) THE DEPARTMENT SHALL DESIGNATE THE PERSONS OR AGENCIES
33 AUTHORIZED TO GIVE THE COURSE OF INSTRUCTION IN FURBEARER CHASING
34 EDUCATION.

35 (2) THE DESIGNATION UNDER PARAGRAPH (1) OF THIS SUBSECTION
36 SHALL BE VALID UNTIL REVOKED BY THE DEPARTMENT.

1 (3) PERSONS DESIGNATED TO PROVIDE THE COURSE OF INSTRUCTION
2 SHALL SUBMIT TO THE DEPARTMENT A VERIFIED LIST OF ALL PERSONS WHO HAVE
3 SUCCESSFULLY COMPLETED THE COURSE OF INSTRUCTION IN FURBEARER
4 CHASING EDUCATION.

5 (C) (1) A CERTIFICATE OF FURBEARER CHASING EDUCATION SHALL BE
6 ISSUED TO EACH PERSON WHO SUCCESSFULLY COMPLETES THE COURSE OF
7 INSTRUCTION IN FURBEARER CHASING EDUCATION.

8 (2) A CERTIFICATE SHALL BE VALID UNTIL REVOKED BY THE
9 DEPARTMENT.

10 (D) THE DEPARTMENT MAY ADOPT REGULATIONS THAT ESTABLISH CRITERIA
11 FOR A FOX CHASING ASSOCIATION TO OBTAIN A GROUP CERTIFICATION.

12 (E) (1) ON OR AFTER AUGUST 1, 2006, UNLESS THE PERSON HAS BEEN
13 ISSUED A CERTIFICATE OF FURBEARER CHASING EDUCATION OR CHASES FOX WITH
14 A CERTIFIED ASSOCIATION, A PERSON UNDER THE AGE OF 18 YEARS MAY NOT CHASE
15 FURBEARING MAMMALS IN THE STATE.

16 (2) ON OR AFTER AUGUST 1, 2010, UNLESS THE PERSON HAS BEEN
17 ISSUED A CERTIFICATE OF FURBEARER CHASING EDUCATION OR CHASES FOX WITH
18 A CERTIFIED ASSOCIATION, A PERSON, REGARDLESS OF AGE, MAY NOT CHASE
19 FURBEARING MAMMALS IN THE STATE.

20 (F) ANY SIMILAR CERTIFICATE ISSUED BY ANOTHER STATE IS ACCEPTABLE
21 AS COMPLYING WITH THE REQUIREMENTS OF SUBSECTION (D) OF THIS SECTION IF
22 THE PRIVILEGES ARE RECIPROCAL FOR MARYLAND RESIDENTS.

23 (G) THIS SECTION DOES NOT APPLY TO A NONRESIDENT OF MARYLAND
24 CHASING FURBEARING MAMMALS IF THEY ARE ACCOMPANIED BY A MARYLAND
25 RESIDENT LEGALLY CHASING FURBEARING MAMMALS.

26 (H) (1) THE DEPARTMENT OR A PERSON DESIGNATED BY THE DEPARTMENT
27 MAY ISSUE A 1-YEAR GRATIS FURBEARER STAMP TO A MARYLAND RESIDENT UNDER
28 THE AGE OF 18 YEARS WHO HAS SUCCESSFULLY COMPLETED A COURSE OF
29 INSTRUCTION IN FURBEARER CHASING EDUCATION.

30 (2) A PERSON MAY BE ISSUED ONLY ONE SUCH STAMP DURING THE
31 LIFETIME OF THE PERSON.

32 (I) THE DEPARTMENT OR A PERSON DESIGNATED BY THE DEPARTMENT
33 SHALL ISSUE A COMPLIMENTARY HUNTING LICENSE AND FURBEARER STAMP EACH
34 YEAR TO A PERSON WHO:

35 (1) HAS BEEN AUTHORIZED BY THE DEPARTMENT TO GIVE THE COURSE
36 OF INSTRUCTION IN FURBEARER CHASING EDUCATION UNDER SUBSECTION (B) OF
37 THIS SECTION;

1 (2) HAS COMPLETED AT LEAST 5 YEARS OF SERVICE AS AN INSTRUCTOR
2 OF THIS COURSE;

3 (3) MAINTAINS ACTIVE CERTIFICATION AS AN INSTRUCTOR OF THIS
4 COURSE;

5 (4) HAS TAUGHT ONE FURBEARER CHASING EDUCATION COURSE
6 DURING THE FISCAL YEAR PRECEDING THE ISSUANCE OF THE LICENSE; AND

7 (5) HAS INDICATED TO THE DEPARTMENT AN INTEREST IN RECEIVING A
8 COMPLIMENTARY HUNTING LICENSE AND FURBEARER STAMP.

9 10-406.

10 (a) Except during the hunting and trapping season or as allowed under
11 subsection (b) of this section, a person may not hunt or trap any fur-bearing mammal
12 or possess the meat or pelt of any fur-bearing mammal, whether hunted or trapped
13 within the State or any other state, territory, or country.

14 (b) (1) (i) A person may possess any green pelt of any fur-bearing
15 mammal until March 25 for purposes of curing the skins.

16 (ii) However, in Frederick, Garrett, Allegany, Carroll, Howard, and
17 Washington counties, a person may hunt or trap mink or muskrat between November
18 15 and February 15, of the year following, and a person may possess any green mink
19 and muskrat pelt until February 25 for purposes of curing the skin.

20 (iii) 1. In the remainder of the State except for the counties in
21 item 2 of this paragraph, a person may hunt or trap mink or muskrat between
22 January 1 and March 15.

23 2. In Baltimore, Cecil, Harford, Kent, Queen Anne's,
24 Somerset, and Worcester counties, a person may hunt or trap mink or muskrat
25 between December 15 and March 15 of the year following.

26 (iv) The Department may extend any muskrat season set by this
27 subsection for a period of 1 week, if the Department considers it necessary for any
28 reason, including weather conditions.

29 (2) A person may possess the meat of muskrat or otter no more than 10
30 days after the close of open season for these mammals in order to dispose of the meat
31 for food. However, a person may apply for a permit to store the meat during the closed
32 season if the meat was hunted lawfully.

33 (3) A muskrat damaging any embankment or impoundment may be
34 destroyed by the owner at any time.

35 (4) A person may hunt or trap and possess the pelt or meat of raccoon or
36 opossum during those periods and under the restrictions, including bag limits, the
37 Department may establish by regulation.

1 (5) In Charles and Dorchester counties, a person may hunt or trap a fox
2 or possess the pelt of a fox at any time of year.

3 (6) A person may hunt or trap on the person's land a coyote, fox or skunk
4 that is damaging or destroying the personal or real property of the landowner.

5 (7) A person may:

6 (i) Trap a coyote during the trapping season established by the
7 Department; or

8 (ii) Hunt a coyote:

9 1. While the person is legally hunting for any other species of
10 game bird or mammal, by any method legal for use at the time in hunting that other
11 species WITHOUT THE NEED FOR A FURBEARER STAMP; or

12 2. At any time of year, by predator calling.

13 (8) A PERSON MAY KILL FURBEARING MAMMALS AND NUTRIA THAT ARE
14 ACTIVELY INVOLVED IN THE DEPREDATION OF REAL OR PERSONAL PROPERTY
15 WITHOUT FIRST OBTAINING A HUNTING LICENSE OR FURBEARER STAMP AND
16 WITHOUT REGARD TO ESTABLISHED HUNTING SEASONS AND BAG LIMITS.

17 [10-502.

18 (a) Any nonresident of the State who desires to trap furbearers, except otter or
19 beaver, first shall procure a nonresident trapper's license in addition to any other
20 license required. The license shall be issued only to residents of other states which
21 grant the same trapping privileges to Maryland residents.

22 (b) The license shall be:

23 (1) Issued for a \$25.50 fee or a fee equal to that charged by the
24 nonresident's home state for a similar license, whichever is greater;

25 (2) Issued in accordance with the procedures for issuing nonresident
26 hunting licenses; and

27 (3) Effective for the same period as a hunter's license.

28 (c) In addition to the license fee, the designated person who sells and issues
29 the license may collect a processing fee equal to 10% of the license fee, and the
30 balance of the fee shall be paid and accounted for in the manner provided by § 10-209
31 of this title.]

32 [10-503.

33 A nonresident of the State may not hunt or trap or attempt to hunt or trap any
34 beaver or otter in the State.]

1 10-701.

2 (a) A club or association may not hold a field trial with dogs in the State
3 during any closed hunting season without first obtaining a permit from the Secretary.

4 (b) The Secretary may grant a permit to field trial clubs and associations to
5 hold field trials with raccoon, opossum, bird, or rabbit dogs in the State any time
6 during the closed season. Field trials shall be held pursuant to regulations the
7 Secretary adopts to safeguard the interests of wildlife in the State.

8 (C) A PERSON ENGAGED IN AN ORGANIZED FIELD TRIAL THAT HAS RECEIVED
9 A PERMIT FROM THE DEPARTMENT UNDER THIS SECTION IS EXEMPT FROM THE
10 HUNTING LICENSE AND STAMP REQUIREMENTS OF THIS SUBTITLE.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
12 effect July 1, 2004.